

MAZIE SLATER KATZ & FREEMAN, LLC

103 Eisenhower Parkway, Suite 207, Roseland, NJ 07068

Phone: (973) 228-9898 - Fax: (973) 228-0303

www.mazieslater.com

David A. Mazie*
Adam M. Slater*^o
Eric D. Katz*^o
David M. Freeman
Beth G. Baldinger
Matthew R. Mendelsohn*^o
David M. Estes
Adam M. Epstein^o

Karen G. Kelsen^o
Cory J. Rothbort*^o
Michael R. Griffith^o
Christopher J. Geddis
Samuel G. Wildman
Julia S. Slater^o
Trevor D. Dickson

^oMember of N.J. & N.Y. Bars

*Certified by the Supreme Court of
New Jersey as a Civil Trial Attorney

April 12, 2022

VIA CM/ECF

Honorable Thomas I. Vanaskie, Special Master
Stevens & Lee, P.C.
1500 Market Street, East Tower, 18th Floor
Philadelphia, Pennsylvania 19103

Re: *In re Valsartan, Losartan, and Irbesartan Products Liability Litigation*,
No. 1:19-md-02875-RBK (D.N.J.)

Dear Judge Vanaskie:

Plaintiffs respectfully submit this letter in advance of the April 13, 2022 status conference.

1. Status of Indemnification Meet and Confers

On January 28, 2022, Plaintiffs wrote to defense counsel and requested disclosure and/or confirmation that disclosure had been previously made of all defend and indemnify agreements between and among Defendants. In addition, Plaintiffs requested disclosure of any public or private litigation, arbitration, claims, or other proceedings between and among any Defendants regarding contaminated valsartan. Plaintiffs requested this information in order to participate in fulsome settlement negotiations, particularly at the retailer level, as contemplated by the Court.

The Defendants placed indemnification agreements on the February 2, 2022 CMC Agenda and the issue was discussed with Judge Kugler. At that time, the Court directed Plaintiffs to be

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more specific in their requests and that the Parties continue to meet and confer. Following the CMC, Plaintiffs organized teams of attorneys to review Defendants' productions and 30(b)(6) deposition testimony to identify what information Plaintiffs felt they had received, and what information Plaintiffs believed was lacking.

On March 17, 2022, Plaintiffs sent a letter to Defendants which set forth Plaintiffs' requests to Defendants at each level of the distribution chain. The letter seeks confirmation of specific information about defend and indemnify agreements known to Plaintiffs, and cites to documents and deposition testimony where Plaintiffs identified the information.

Following receipt of Plaintiffs' letter, Defendants responded via email on April 5, 2022 that each Defendant would reach out to Plaintiffs separately to set up meet and confers on the items raised in the letter. To date, Plaintiffs have only heard from ZHP, Teva, Torrent, and Mylan. Plaintiffs request that all defendants be required to meet and confer on the issues raised in Plaintiffs' March 17, 2022 letter.

Thank you for your courtesies and consideration.

Respectfully,



ADAM M. SLATER

cc: All Counsel (via CM/ECF)